



AAA Mediation.org™

**FN-27192 MN-27192 LN-27192, Esq.**

**Boca Raton, Florida**



**Current Employer-Title** Inglesino Taylor – Founding Member

**Professional Summary** Strengths are navigating government bureaucracy, critical thinking and consensus building. Expertise in corporate governance, strategic planning, enterprise risk management, regulatory affairs and public policy. Guides health industry players during the best of times- such as implementing innovative business ventures and mergers and acquisitions and during the worst of times- including bet the company transactions and litigation and payor and government inquiries and investigations. As a neutral, responsibility is to be fair and assure that parties are heard and afforded the opportunity to prepare and present their respective positions and that counsel and their respective clients are treated with respect.

**Profession** Attorney, Arbitrator, Mediator, Registered New Jersey Government Affairs Agent

**Work History** Founding Member/Attorney, Inglesino Taylor 2010 – Present; Partner/Attorney, Stern & Kilcullen LLC, 2006 – 2010; Partner/Attorney, St. John & Wayne L.L.C., 1999 – 2006; Director/Attorney, Hannoeh Weisman A Professional Corporation, 1996 – 1999; Associate Attorney, Shanley & Fisher P.C. (now Faegre Drinker Biddle & Reath, LLP), 1989 – 1996; Associate Attorney/Summer Associate, LeBoeuf Lamb Leiby & MacRae (later Dewey LeBoeuf), 1985 & 1987 – 1989; Judicial Law Clerk, Supreme Court of New Jersey, 1986 – 1987; Law Clerk, Coastal Healthcare (Physician Practice Management and Locum Tenens Company), 1985 – 1986; Law Clerk, Duke University Counsel and Medical Center Legal Counsel, 1984 – 1986.

**Experience** Health Care:  
Representation of public, closely held, non-profit, governmental clients, including both providers and payors, in business transactions and contracts, regulatory matters, litigation and administrative proceedings. Matters include summary decision in challenge of Medicaid acuity audit; representation of pharmacy benefits manager in application as New Jersey Certified Organized Delivery System; successful challenge of State contract for operation of group homes for the disabled; counsel to health care charity in disaffiliation from national association; counsel to hospital in compliance with and its exit from Corporate Integrity Agreement ; counsel to Fiscal Intermediary in implementation and operation of New Jersey Medicaid Long Term Supports and Services Program; Previously: Health care counsel to the Federal Monitor of University of Medicine and Dentistry of New Jersey under 2005 Deferred Prosecution Agreement; Defense of community hospital for alleged Medicare outlier violations and 2007 civil settlement.

#### Life Sciences:

Service as counsel for privately owned medical device companies providing advice on acquisitions, joint ventures, partnerships, collaborations, new venture formation and investments, licensing, research and development transactions; sales, marketing and distribution agreements; compliance with HIPAA and GDPR, scope of work metrics and compensation and royalty formulas. Representation of academic medical centers/faculty in commercialization of clinical research; representation of principal investigators and IRBs for clinical trials. Prior Experience includes: Legal counsel for the US division of Asian device manufacturer until the subsidiary's divestment; Representation of international medical device manufacturer and its orthopedics division in connection with Department of Justice investigation and 2007 Non Prosecution Agreement; Defense of founder of medical device manufacturer in Federal fraud and abuse investigation.

#### Cannabis:

Contributed to drafting of NY statute legalizing medical cannabis; counsel to inaugural licensee of NJ alternative treatment center (medical marijuana dispensary).

#### Insurance:

Regulatory matters before State agencies. Reinsurance, subrogation and coverage counseling/claims.

#### Mergers & Acquisitions/Joint Venture:

Regulatory counsel to underwriter for IPO of healthcare REIT; regulatory counsel for health insurer's \$67 billion acquisition of national pharmacy benefits manager (PBM); private equity acquisition of assisted living chain; regulatory counsel for \$2.35 billion acquisition of physician services company; sale of veterinary services company to national pet services/supplies company; co-management contract for women's health services.

#### Labor and Employment:

Employment counseling and compliance. Representation of employers and employees in employment contract and severance negotiations, counseling and employment disputes. Investigations before the US EEOC, New Jersey Department of Civil Rights and Florida Commission on Human Relations. Collective bargaining agreements for Federal Qualified Health Center and hazardous industry contractors.

#### Other:

Appointed Special Ethics Master by Supreme Court of New Jersey, 2021, 2020, 2011.

Branding and trademark including before TTAB and in District Court.

### **Mediator Experience**

Successfully mediated multiple disputes between health care providers and payors (insurers) dealing with reimbursement for health care services including such issues as allegations of upcoding, disputes over applicable codes including use of J codes and consultation codes, coverage of emergency/urgent services, out of network services and rates, contract interpretation, coverage for experimental treatment and/or new technologies and custodial versus rehabilitative versus palliative treatment in catastrophic injury cases with amounts at issue in excess of one million dollars. Also successfully mediated partnership disputes, disputes over whether a non-compete was breached, disputes involving licensing and/or development of new technology and disputes involving third party administrators of health benefit plans, employers of contracted plans and patient-beneficiaries under such health benefit plans. Has successfully mediated a number of disputes involving one or more public (governmental) entities. Also successfully mediated disputes involving current good manufacturing practices and tax treatment of income/losses under operating/partnership agreement. Have used mediation to aid parties in contract/rate negotiation and in allocating responsibility for potential future liabilities as part of merger negotiations. As a mediator on the roster of court-approved mediators as a Rule 1:40 qualified mediator designated by the State of New Jersey administrative office of the courts mediated a wide range of commercial disputes involving real estate, contracts, employment and other civil matters. Certified by the International Mediation Institute in The Hague, Netherlands.

### **Representative Issues Handled as a Mediator**

Reimbursement/rate/coverage issues for health care services; employment disputes in the health industry; disputes between parties, which must, for a variety of reasons continue to deal with each other (such as disputes involving a hospital and/or a payor/insurer with significant market share in a

geographic area); real estate disputes, especially those which arise as part of a dispute over a broader business transaction and those which involve special-purpose real estate such as health care facilities.

<b>Mediator Style &amp; Process Preferences</b>	I expect parties to take mediation seriously and participate in good faith. It is important that all necessary parties (including a corporate representative from each party) participate. I believe that successful mediation requires more than "shuttle diplomacy" and that active involvement of the mediator is crucial. I believe that it is critical to listen to what the parties are saying and what they are not saying. When appropriate, I will propose solutions to problems. When appropriate, I will confidentially evaluate the strengths and weaknesses of parties' positions when in caucus. I will mediate in both in person and via videoconference. I am comfortable with the technology. I generally do not request hard copies of documents or submissions- electronic files are fine.
<b>Technology Proficiency</b>	<p>Has conducted fully electronic arbitrations and mediations as neutral and bench trial and administrative hearings as an advocate. Maintains a licensed Zoom account and will arbitrate and mediate in-person and via videoconference. Experienced using videoconference technology and have arbitrated and mediated dozens of disputes (and tried cases as advocate and sat as a Special Master) using videoconference technology.</p> <p>Experience with electronic discovery, electronic discovery tool and ESI protocols both as a neutral and as an advocate.</p> <p>Use and understand MS Office (word, excel, etc. ) and Adobe Acrobat Pro applications.</p>
<b>Education</b>	Columbia Business School (Finance and Accounting- 2019); Harvard T.H. Chan School of Public Health (Boards/Governance-2017); Duke University (MA, Philosophy-1986; JD-1986); Columbia University (BA, with honors in Anthropology, cum laude-1983).
<b>Professional Licenses</b>	<p>Admitted to the Bar: New Jersey (1986), New York (1987), District of Columbia (1989),Tennessee (1996), Pennsylvania (2003), Florida (2004); U.S. District Court: District of New Jersey (1986), Southern and Eastern Districts of New York (2005), Southern District of Florida (2012), Middle District of Florida (2022); U.S. Court of Appeals: Third Circuit (1991); U.S. Supreme Court (1991).</p> <p>Board Certified by The Florida Bar in Health Law 2013-2028.</p>
<b>Professional Associations</b>	American Bar Association Health Law Section, Vice Chair, 2023; Secretary, 2022- 2023; Governing Council Member, 2019 – 2022. The Florida Bar Health Law Certification Committee, Chair 2023- Vice Chair 2022-2023 ; Member 2019-2022. Named Fellow by the American Bar Endowment, 2022. Named Fellow by American Health Law Association in recognition of career-long achievements, contributions and tenure with the American Health Law Association and continuing service and leadership in the legal profession, 2021. American Bar Association Standing Committee on Ethics and Professional Responsibility (2018-2021). Treasurer and Chair of Finance Committee, New Jersey Ballet, 2018 –2020. Founding Board Member, National Board of Health Lawyers, 2017 – present. American Bar Association Health Law Section Liaison, SOC Ethics and Professionalism, 2017 - 2019. American Bar Association Health Law Section Ethics and Professionalism Committee, (Chair 2023- ;2015 -2019, Co-Chair 2014 – 2015, Vice Chair 2012-2014). New Jersey State Bar Association Health Law Section (Emeritus Board Member, 2019 - present; Board of Directors, 1999 -2019; Board Chair, 2017-2018 and 2004-2005). American Health Lawyers Association (Business Law and Governance Practice Group, Vice Chair 2012 - 2017. Board Appointee to ADR Task Force 2008 - 2012 and 2001 - 2004. Physician Organizations Practice Group, Vice Chair 2002-2008. American Bar Association Programs Executive Committee, Vice Chair, 2013-2016. American Bar Association Health Law Section Planning Committee - Emerging Issues Program, Co-Chair 2013 - 2016. International Mediation Institute (IMI) Certified Mediator, 2009 – present. New Jersey State Bar Association Standing Committee on Professional Responsibility, 2003-2006. Supreme Court of New Jersey District VC Ethics Committee, 1998-2002 (Chair 2001-2002). Board Member, Alzheimer's Association of Greater New Jersey, 2000-2002. Board Member, Alzheimer's Association of Northern New Jersey, 2000. Board Member, Junior League of Morristown, 1996-1997. Advanced Community Health Services and subsidiaries, 1995-1998, Board Member/Chair 1997- 1998. Township of Livingston (NJ) Advisory Health Committee 1989-1997, Vice Chair 1991, 1994, 1995. Volunteer Lawyers for the Arts (New York City), 1988-1989. Barnard College, Board Member 1981-1983. Women Business Leaders of the US Health Care Industry Foundation. The Florida Bar Health Law Section.

## Recent Publications & Speaking Engagements

Chapter author, "Negotiating a Lease for a Medical Practice" in THE PHYSICIAN'S COMPREHENSIVE GUIDE TO NEGOTIATING, SEAK, Inc., 2007; chapter author, "Alternative Dispute Resolution in Healthcare," HEALTH LAW PRACTICE GUIDE, Thomson/West, 2005, updated 2006, second edition 2009, updated 2014; chapter author, THE BIGGEST LEGAL MISTAKES PHYSICIANS MAKE AND HOW TO AVOID THEM, SEAK, Inc., 2005; co-editor and co-chapter author, REPRESENTING PHYSICIANS, American Health Lawyers Association, 2005; author of over forty articles including Co-Author "Applying Principles of Evolutionary Biology to Plastic Surgery at an Organizational Level Predicts an Extinction Event" in Aesthetic Surgery Journal Open Forum, July 2023; Co-Author "Just Win Baby? Ethical Considerations and Litigation Tactics in High-Stakes Cases" in The Health Lawyer, February 2022; Co-Author "Thinking of Representing Someone in the Cannabis Industry? Safe Dispensing of Legal Advice", New Jersey Lawyer Magazine, October 2018; "The Disruptive Physician: Righteous Maverick or Dangerous Pariah" published in Plastic and Reconstructive Surgery Journal of the American Society of Plastic Surgeons, January 2009; Co-Author "Ethical Issues for the Plastic Surgeon in a Tumultuous Health Care System: Dissecting the Anatomy of a Decision" published in Plastic and Reconstructive Surgery Journal of the American Society of Plastic Surgeons, October 2008; Co-Author "Ethical Challenges in Everyday Practice for Healthcare Lawyers" published in Journal of Health Law, Winter 2001; Co-Author "The Lawyer as Witness or Target" published in Litigation, Summer 2000; Author, "Alternative Dispute Resolution- An Alternative to Consider" published in OT Practice, June 1999; Author, "Economic Credentialing- by the Numbers" published in Physician's Practice Digest, Fall 1993; Author Author "New Jersey Hospital Rate System Undid Itself" published in New Jersey Law Journal, November 30, 1992.

Frequent speaking engagements include but are not limited to: Co-Presenter "Conducting a Preliminary Hearing" at the Virtual Roundtable sponsored by the American Arbitration Association, May 2024; Faculty Member for Healthcare Arbitrator Training, sponsored by the American Health Law Association, presenting sessions on "Arbitrator Authority and Responsibilities" and "Managing Health Care Documents" and Panelist on "Pro Se Parties and Class Actions", May 2024; Panelist "A Healthcare ADR Case Study" at the National Managed Care Institute Sponsored by the American Bar Association, December 2022; "Retro Fraud: 25 DOs and DONTs from 25 Years in Compliance" at the 26th Annual Compliance Institute sponsored by the Health Care Compliance Association, March 2022; "The Use of Extrapolation and Statistical Sampling in Civil and Criminal Proceedings," Representing Physicians Program sponsored by New Jersey Institute of Continuing Legal Education, March 2015; "Law at the Crossroads- Counseling in the Context of Conflicting Laws," American Bar Association Washington Health Law Summit, December 2014; "Counsel to the Deal: Conflicts and Other Legal Ethics Challenges in Transactional Representation," American Health Lawyers Association Transactions Conference, April 2014; "Healthy Resolution of Conflicts in Healthcare," 13th Annual Spring Conference sponsored by the American Bar Association Dispute Resolution Section, April 2011; "Arbitration- A More Beautiful Process," Annual Meeting of the American Health Lawyers Association, June 2010; "Arbitration Training for Advocates and Arbitrators," teleconference sponsored by the American Health Lawyers Association, January 2010.

<b>Mediation Rate</b>	\$595 Per Hour
<b>Languages</b>	English
<b>Citizenship</b>	United States of America
<b>Locale</b>	Boca Raton, FL

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.

